

# LAFCO

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## Santa Barbara Local Agency Formation Commission

105 East Anapamu Street ♦ Santa Barbara CA 93101

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www.sblafco.org ♦ lafco@sblafco.org

June 4, 2015 (Agenda)

Local Agency Formation Commission  
105 East Anapamu Street, Room 403  
Santa Barbara CA 93101

### Proposed Revisions to the Schedule of Processing Fees –Effective July 1, 2015

Dear Members of the Commission:

#### RECOMMENDATION

It is recommended that the Commission Approve the Proposed Revisions to the Schedule of Processing Fees.

#### DISCUSSION

The Proposed Revisions to the Schedule of Processing Fees is attached as **Exhibit A**. The Commission last revised the Schedule of Processing Fees on June 7, 2012, effective June 9, 2012 (**Exhibit B**). Processing fees were increased significantly in 2012-13, but have remained unchanged for the last two fiscal years. **Exhibit C** is a strikeout and redline version of the changes in the current Schedule of Process Fees and the Proposed Schedule of Processing Fees. The deletions have a line through them and the proposed new or replacement fees are underlined or have no lines.

Santa Barbara LAFCO averages fee revenues in the 7-10% range of its operating budget. A recent CALAFCO survey determined that the average LAFCO in the State collects 12.88%, with some larger LAFCO's collecting in the 20-30% range. Clearly there is room for improvement to help offset billings to funding agencies.

In preparing the recommended revisions to the Schedule of Processing Fees, staff considered the Cortese-Knox- Herzberg Act, Government Code Section 56383(b) that states that: *The fees shall not exceed the estimated reasonable cost of providing the service for which the fee is charged and shall be imposed pursuant to Section 66016. ..*

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**Commissioners:** Doreen Farr, Chair ♦ Roger Aceves ♦ Bob Short ♦ Craig Geyer ♦ Jeff Moorhouse ♦ Bob Orach ♦ Janet Wolf ♦ John Fox ♦ Steve Lavagnino ♦ Jim Richardson ♦ Roger Welt ♦ **Executive Officer:** Paul Hood

The current fee schedule allows the Commission to collect fees from applicants to process boundary changes, sphere modifications and out-of-agency service approvals. However, there are a number of areas that are not included in the current fee schedule that relate to various types of governmental changes of organization, sphere of influence revisions, municipal service reviews, environmental fees, and other fees such as activation of latent powers, study session requests, requests for fiscal analysis, and others.

Staff has included a fee for Fee Waiver Requests because Government Code Section 56383 establishes that: *The commission may reduce or waive a fee, service charge, or deposit if it finds that payment would be detrimental to the public interest. The reduction or waiver of any fee, service charge, or deposit is limited to the costs incurred by the commission in the proceedings of an application.*

If a fee waiver is requested, the Commission can act on the request pursuant to Government Code Section 56383 on a case-by-case basis, rather than establish criteria that is different from this section.

#### EXHIBITS

- Exhibit A Proposed Recommended Schedule of Processing Fees – Effective July 1, 2015
- Exhibit B Current Schedule of Processing Fees – Effective July 9, 2012
- Exhibit C Highlighted Changes - Current and Recommended Revised Fee Schedule

Please contact the LAFCO office should you have any questions.

Sincerely,



PAUL HOOD  
Executive Officer

# SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

## SCHEDULE OF PROCESSING FEES

Effective July 1, 2015

### Annexation/Detachment Processing Fees

<u>Acreage</u>	<u>Proposed Fee</u>
0.1 - 4.99	\$1,500 Deposit Toward Project Cost
5.00 - 9.99	\$2,500 Deposit Toward Project Cost
10.00 - 14.99	\$3,500 Deposit Toward Project Cost
15.00 - 19.99	\$4,500 Deposit Toward Project Cost
20.00 +	\$5,000 plus \$10.00/acre Deposit Toward Project Cost

Additional staff hours in excess of Project Costs shall be charged at an hourly rate of \$175. Such fees shall be received prior to the time the staff records the proposed boundary change.

### Incorporations, Formations, Other Actions

Formation of a Special District	\$5,000 Deposit Toward Project Cost
Incorporation of a City	\$15,000 Deposit Toward Project Cost
Dissolution of one or more Districts	\$2,500 Deposit Toward Project Cost
Disincorporation of a City	\$5,000 Deposit Toward Project Cost
Consolidation of Districts	\$3,000 Deposit Toward Project Cost
Merger of Districts	\$3,000 Deposit Toward Project Cost
Establishment of Subsidiary Districts	\$3,000 Deposit Toward Project Cost
Reorganization of City or District (Two or more of the above changes of organization, excluding incorporation of a city.)	\$7,500 Deposit Toward Project Cost
Out-of-Agency Service Agreements	The same fee as for an annexation



Sphere of Influence Fees

Acreage

4.99 acres or less

\$1,500 Deposit Toward Project Cost

5 - 9.99 acres

\$2,500 Deposit Toward Project Cost

10+ acres

\$3,500 Deposit Toward Project Cost

Agency Request for Comprehensive SOI  
Update or Municipal Service Review

\$5,000 Deposit Toward Project Cost

Environmental Fees

Initial Study Fee

\$500 Deposit Toward Project Cost

Negative Declaration Fee

\$1,000 Deposit Toward Project Cost

EIR Review-Responsible Agency

\$1,000 Deposit Toward Project Cost

Categorical Exemption

\$500 Deposit Toward Project Cost

EIR Appeal Fee

\$1,000 Deposit Toward Project Cost

EIR required and LAFCO is Lead Agency

Minimum \$5,000 deposit to be increased to  
equal 25% of the cost of the report

**Other Fees**

Activation of Latent District Powers

\$2,500 Deposit Toward Project Cost

Request for Reconsideration

\$1,500 Deposit Toward Project Cost

Fee Waiver Request

\$500 Deposit Toward Project Cost

Request for Time Extension

\$500 Deposit Toward Project Cost

Study Session Request

\$2,500 Deposit Toward Project Cost

Request for Fiscal Analysis or Other Studies

\$2,500 Deposit Toward Project Cost

Outside User Agreement

\$2,500 Deposit Toward Project Cost

Pre-application Review

Limited to three (3) hours of staff time, then  
actual cost

Petition Verification Fee

Minimum filing fee of \$10 + \$1.00 per  
signature

Processing request for the State Controller's  
review of an incorporation fiscal analysis

\$1,500

Annual Agenda Mailing List Fee

\$25

Executive Officer's Report

(monthly mailings for 12 months)

\$100

Copying Fee

\$.10 per page

Documents

1-50 pages is \$0.25 a page; 50+ is \$0.10 page

DVDs of LAFCO meetings

\$16

**Fee Policies:**

1. Fees may not be charged for proposals that result from LAFCO orders.
2. Fees must be received at the time application materials are submitted.
3. Allowed refunds are based on staff effort that has been expended prior to the withdrawal of the application as follows:

After staff requests reportbacks	80% of the fee
After Certificate of Filing has been issued	50% of the fee
4. If an annexation occurs within one year of the date the affected property receives an out-of-agency service approval the annexation fee shall be reduced by fifty percent.
5. A supplemental fee shall be charged for proposals that require LAFCO to conduct protest hearings. The fee shall include out-of-pocket costs to publish and mail notices of hearing to landowners and registered voters as required by law.
6. A supplemental fee shall be charged when a Commission meeting, that would not otherwise be held, is held at the request of an applicant. The fee includes Commissioner per diem stipends and mileage reimbursement and out-of-pocket costs to copy and mail the notice of hearing and agenda packet for the meeting.
7. A supplemental fee shall be charged to recover actual costs for preparing environmental documents when LAFCO is the lead agency. The fee shall include out-of-pocket costs to prepare, copy and distribute the environmental document.
8. A supplemental fee shall be charged to recover out-of-pocket costs to copy documents that exceed 100 pages for distribution to the members of the Commission.
9. A \$1,100 deposit payable to "County of Santa Barbara" for reviewing maps and legal descriptions must be submitted with proposals that include maps and legals. Boundary changes will be completed only when obligations to the County Surveyor are satisfied.
10. The processing fee to file a request for reconsideration is 50% of the original processing fee amount. The fee shall be returned to the applicant if the Commission determines that the reconsideration is required to correct a procedural defect in its earlier action.
11. The cost for the State to review the Comprehensive Fiscal Analysis for an incorporation shall be the responsibility of those requesting the review.

**SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION**  
**SCHEDULE OF PROCESSING FEES**

Effective July 9, 2012

Annexations and Detachments

<u>Acreage</u>	<u>Proposed Fee</u>
Less than 5	\$ 1,750 (10 hours)
5+ to 10	2,450 (14 hours)
10+ to 25	2,975 (17 hours)
25+ to 99	5,250 (30 hours)
100+	Fee is on a cost reimbursement basis

Staff hours in excess of those shown in parentheses shall be charged at an hourly rate of \$175. Such fees shall be received prior to the time the staff records the proposed boundary change.

Reorganizations:

Annexation or detachment fee plus a 20% surcharge for each additional change of organization in the application, except for detachments from the County Fire Protection District or CSA 32.

<u>Formations and Incorporations</u>	\$10,500 (60 hours)
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In addition to the processing fee, the cost of preparing the comprehensive fiscal analysis shall be borne by the applicant, proponents or supporters of the incorporation.

<u>Sphere of Influence Amendment</u>	\$ 1,285
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<u>Out-of-Agency Service Agreements</u>	The same fee as for an annexation.
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<u>Documents</u>	1-50 pages is \$0.25 a page; 50+ is \$0.10 page
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<u>DVDs of LAFCO meetings</u>	\$20
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Processing Fee Schedule Adopted by LAFCO on June 7, 2012

Processing Fee Schedule Adopted by LAFCO on June 4, 2015-Effective July 1, 2015

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